

Schary, Claire

From: Bobby Cochran [cochran@willamettepartnership.org]
Sent: Thursday, September 26, 2013 3:28 PM
To: Schary, Claire
Cc: Carrie Sanneman
Subject: Re: Comments on the JRA Oct. agenda

It does. I think our reality is that this will be the first meeting where we are trying to pull a lot of content together back into an overall picture. So, we know we need some targeted discussion, focus on next steps, but also some flexible time to meet the needs of the group. That's why we're pushing folks to let us know what they think would be most valuable to tackle as a whole group vs. email, phone, or one-on-ones.

Bobby

On Thu, Sep 26, 2013 at 3:23 PM, Schary, Claire <Schary.Claire@epa.gov> wrote:

I want to make sure the compliance people are getting what they need in the permit, and I'm learning that I can't assume the permit people know all of what needs to be in there when it comes to trading. I'm planning to have Chae & Dustan meet with me and Susan Poulsom right before the Oct. meeting and go through the draft practices document and anything else you distribute, to see what they think is missing or needs to be changed. I assume we will find a few things that would be worth bringing up in the meeting and that the Oregon DEQ and Ecology folks say they would handle differently. The fact that we had so many comments on the Wilsonville permit made me realize how differently each state approaches this.

Hope that helps.

-- Claire

Claire Schary

schary.claire@epa.gov / (206) 553-8514

From: Bobby Cochran [mailto:cochran@willamettepartnership.org]
Sent: Thursday, September 26, 2013 3:15 PM
To: Schary, Claire; Carrie Sanneman
Subject: Re: Comments on the JRA Oct. agenda

Good comments Claire, thanks. Had some questions for you.

Looking at Chae's comments on the permit content, why do you think we need to talk about that more? He seemed really clear and straightforward.

I'm also curious on your thoughts around pilots. I like the idea of talking about check-ins and ongoing interaction of the group. At the Boise meeting, we left with the impression that a full group discussion of pilots wasn't going to be that fruitful--that each state really needs to be encouraged to come up with what they want. We totally open to shifting that around if you think there's value.

We'll also be distributing a writeup of the mock transaction with the materials.

Thanks Claire!

Bobby

On Thu, Sep 26, 2013 at 3:00 PM, Schary, Claire <Schary.Claire@epa.gov> wrote:

Bobby & Carrie,

I agree with Marti's comments (below) about the need to talk explicitly about what goes into a permit, and how it will meet compliance and enforcement concerns. I'm also not clear why each state's permits are different on how they refer to the permittee's use of credits – i.e., referring to the state's trading guidance directly for most of the detail about credit verification, reporting, etc. versus requiring a full trading plan be submitted with each permit.

Baseline is a topic we may never get a full resolution on because of its relationship to the larger, seemingly intractable, TMDL issues, but I agree that it needs more discussion.

It's not clear to me how the mock trade will be laid out to make sure we get through a discussion of all the elements that are important to the permitting authority and not just the buyer and seller. It would probably help to have the mock trade outlined in the discussion materials you distribute before the meeting so that we can tell you where we want more clarification or see an issue that hasn't been resolved.

Finally, the pilot project discussion is not scheduled until the very end and only for 45 minutes. I thought there would be a longer discussion about how this group would participate in the pilot projects – at least, what are our preferences for reporting regularly on progress and sharing learnings as we go. Also how will the draft best practices document be characterized after this meeting – i.e., a document that remains in that draft form until the completion of the projects, or something more fluid, to capture other approaches that emerge as the pilot projects go forward?

Despite all of these comments, I defer to your good judgment on how to lay out an agenda that gets through all the topics you need covered.

I've copied my EPA team on this message, in case my comments inspire them to provide any additional thoughts.

-- Claire

Claire Schary

schary.claire@epa.gov / (206) 553-8514

From: Marti.Bridges@deg.idaho.gov [mailto:Marti.Bridges@deg.idaho.gov]
Sent: Thursday, September 26, 2013 1:02 PM
To: sanneman@willamettepartnership.org; Mark.Shumar@deg.idaho.gov; Michael.Mcintyre@deg.idaho.gov; Darcy.Sharp@deg.idaho.gov; FOSTER.Eugene@deg.state.or.us; hbre461@ECY.WA.GOV; mgil461@ECY.WA.GOV; NOMURA.Ranei@deg.state.or.us; michie.ryan@deg.state.or.us; Schary, Claire
Cc: Cochran@willamettepartnership.org; Furia@thefreshwatertrust.org; Karin@thefreshwatertrust.org; nmullane@msn.com; Tim@thefreshwatertrust.org; TGartner@wri.org
Subject: RE: Agenda for review by 9/27, meeting summary for review by 10/4

Carrie et al:

I think we need some additional discussion on how much needs to go into a permit. Since I'm of the view that many facilities may not know what kind of trade project they will do to offset their permit limits, I'm extremely leery of micromanaging that in the permit context necessarily. It doesn't lend itself at all to the concept of free market trading. That said, I also recognize that the level of detail then needs to be captured somewhere else, and that may vary from state to state. So that's my other agenda item for discussion.

I'm also curious if Washington and Oregon have thought about what practices they will pilot? I know I voiced the notion on behalf of Idaho that we would find it desirable to work with EPA on how a trading permit might look for a mock situation, likely TP in the Lower Boise, since that's what is waiting at the back door.

The remainder of the agenda looks fine. Baseline is a huge issue over here on the Lower Boise so some mutual agreement we can all live with would be nice, actually.

I'm responding on behalf of me and Michael McIntyre, so you won't get a separate response from him as he is out of the office.

Marti Bridges

TMDL Program Manager

IDEQ

[208-373-0382](tel:208-373-0382)

From: Carrie Sanneman [<mailto:sanneman@willamettepartnership.org>]

Sent: Wednesday, September 25, 2013 2:19 PM

To: Mark Shumar; Marti Bridges; Michael McIntyre; Darcy Sharp; FOSTER Eugene P; Helen Bresler; Melissa Gildersleeve (ECY); Ranei Nomura; Ryan Michie; Schary, Claire

Cc: Bobby Cochran; Joe Furia; Karin Power; Neil Mullane; Tim Wigington; Todd Gartner

Subject: Agenda for review by 9/27, meeting summary for review by 10/4

Hi all,

I hope everyone is enjoying the fall weather, all the better for staying inside and reviewing documents! I have a couple very short ones for you today (with correspondingly short review schedules), attached are:

1. **Draft meeting summary for workshop #3** - please review by *next Friday, October 4th* and provide comments so that we can post a version that accurately reflects our discussion.
2. **Draft agenda for workshop #4** - please review by *this Friday, September 29* and provide comments on the plan for our next gathering. We set this one up to revisit some issues that we know need more work (Baseline) and to walk through a mock trade that represents our best practices so far, which should help

clarify what they all are and how they fit together. We're anticipating that this will also jog our collective memories about other issues that we need to revisit, so we've built in time to discuss them as they arise.

These will be posted on the the project wiki site shortly.

Best,

Carrie